

permanent guardianship. That's doubling the hearings. All this does is says that you can...you don't have that temporary hearing unless it is requested to do so, if the person who is under a guardian, or proposed to be a guardian or conservatorship wants a temporary hearing, they can have it. That is similar to what we do in many other lawsuits and many other procedures. The other one is that LB 982 (sic) last year required that we have nine additional elements put into a petition, and oftentimes, in 90 percent of the cases, 95 percent of the cases, you are putting in there things like they were incompetent, so when those become public record, it can be a source of embarrassment. It becomes repetitive, but it also doubles the cost of doing those things for people. What this merely adds is it just says that you don't put those in but you do have the ability to make it more definite and certain, so you spell out those items. That's a procedure we use in a lot of lawsuits, where you make general broad allegations, and if someone wants to know what they are, you file a motion to make it more definite and certain and you have to add more facts or you broaden it out so you know exactly what's being done. The other part of this deals in the area of the trust and statute of limitations where, if you, when you have, it's the same area of guardian and conservatorships, when you have a trust situation, and there was a court case that came down said that what happens is you have no statute of limitation unless you have a final accounting or you have repudiated the entire trust. The impact of that is that if you have an annual accounting or interim accountings, there is no statute of limitations. You could get sued 20 years later for something you did because they were interim accountings, or they were annual accounting, and that information is all gone. This merely puts in a four-year statute of limitations on those interim or annual accountings. It also for the protection of those people, it adds in there that a disclosure has got to be put on the annual accounting, that there is a four-year statute of limitations, so you do have that duty to disclose. I think that it probably makes it a little more user friendly. With that, I believe this amendment is one that everybody in the world has looked at, every advocate in the world has looked at it. I think they are comfortable with doing that, and I would ask for the adoption of this particular amendment. I do have one small technical correction I need to make, but, Madam President, I will let that constitute my opening and then I will run up with the technical amendment.

PRESIDENT ROBAK: Thank you, Senator Kristensen. Senator